

DEATH AND BURIAL



Jannat-ul-Baqi (Madinah)

Kitabul Janā-iz

Compiled by
Majlisul Ulama of S. Africa

Kitabul Jana-iz

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(HANAFI)

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KUTUB KHANA ISHAYAT-UL-ISLAM

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
نَحْمَدُهُ وَنُصَلِّي عَلَى رَسُولِهِ الْكَرِيمِ

INTRODUCTION

"Every person will taste death."

(Qur'an)

Maut (death) is the inescapable event - the inevitable reality - which Mu'min and Kāfir acknowledge. In so far as the Mu'min is concerned, Maut is not the end of life. It is simply another stage in the onward journey of man back home - Jannat - from whence he heralded.

Rasulullah (Sallallāhu Alayhi Wasallam) said:

"Maut is the bridge which unites the lover with his Beloved."

The Mu'min is the *lover* and Allah Ta'ala, The Rabb, is the *beloved*. With death the servant of Allah Ta'ala reaches his Goal towards which he was striving all his life. For those who had lost themselves in the pursuit of fleeting pleasures of a corrupt and contaminated kind, consequently forgetting the Goal and Purpose of life on earth, Maut is a terrible event. On the other hand, the sincere and pious servants of Allah will be greeted by the proclamation:

"O Soul at peace! Return to your Rabb, well-pleased (with Him) while He is well-pleased (with you). Thus enter (the association of) My servants and enter My Jannat." (Qur'an)

Since man - the Mu'min - is the noblest of Allah's creation, He has ordained a host of rules and rites which the living have to observe in honour of the mayyit (deceased) who passes onto the next leg of his journey to Jannat. Kitābul Janā-iz deals with these rules and rites.

May Allah Ta'ala accept our humble effort and may the Ummah derive maximum benefit from this endeavour, and may it assist in our Najāt (Salvation) in the Ākhirah.

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KITĀBUL JANĀ-IZ

THE MUHTADHAR

Muhtadhar is the person in his/her death throes. Literally, *muhtadhar* means a person in whose presence others have arrived. In the context of Kitābul Janā-iz, *muhtadhar* is the person in his death throes from the moment the Malā-ikah (Angels) are in his presence. Thus, the person in his/her last illness will be termed *muhtadhar* from the time the Malā-ikah appear to him/her.

The living will regard the person as *muhtadhar* only during his final moments when the departure of life becomes apparent to them.

THE SIGNS OF MAUT

The signs of the arrival of Maut (Death) are:

1. The legs become slack or limp.
2. Breathing becomes heavy, quick and erratic.
3. The nose bends slightly.
4. The temples sag.

WHAT TO DO AT THE TIME OF MAUT.

When Maut arrives, the *muhtadhar* should be laid on his back with feet outstretched in the direction of the Qiblah. His head should be slightly raised so that he faces the Qiblah. It is said that this position facilitates the emergence of the Rooh (Soul).

It is also permissible to lay the *muhtadhar* on his right side in the direction of the Qiblah. Although both ways are permissible, the first method is the most popular and has been the standard practice from the earliest time among the pious predecessors (Sālf-e-Sāliheen). Nevertheless, whichever way appears best for the *muhtadhar* may be adopted.

Those present should start reciting loudly the Kalimah so that it reaches the ears of the *muhtadhar* inducing him to recite the Kalimah. The *muhtadhar* should not be instructed to recite the Kalimah. Those present should continue

with the recitation until the *muhtadhar* recites it himself.

When the *muhtadhar* has recited the Kalimah once, all present should maintain silence. An attempt should not be made to induce the *muhtadhar* to be constant in the recitation of the Kalimah. There is no need for the recitation to be right until the last moment of death. The object is that the last statement uttered on earth should be the Kalimah.

However, if the *muhtadhar* after having recited the Kalimah, indulges in worldly conversation, then those present should renew the recitation of the Kalimah so that the *muhtadhar* too renews his recitation. After he renews the Kalimah, maintain silence.

When the very final moments of death set in and the *muhtadhar* breathes in rapid gasps, then all present should recite the Kalimah loudly again.

Recitation of Surah Yāseen is beneficial for the dying person. It lessens the pangs of death.

There should be no worldly conversation in the presence of the *muhtadhar*. Such talk which attracts him to the world is disastrous on this occasion. At the time of departing from earth, the endeavour should be to induce greater awareness of Allah Ta'ala in the *muhtadhar*. Death with the heart attached to worldly objects of love, is indeed an evil demise. Persons in the state of janābat (requiring an obligatory ghusl) should not be present by the *muhtadhar*.

After the *muhtadhar* has died, arrange the body parts properly. Tie a piece of cloth from under the chin to above the head to ensure that the mouth does not remain open. Close both eyes. Place the feet together and tie the two big toes with a ribbon of cloth to prevent the legs spreading apart. Place the hands at the side and cover the body with a sheet.

When arranging the body as described above, recite:

بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ

"In the name of Allah and on the Millat (Deen) of Rasulullah."

Place something of sweet fragrance nearby, e.g. perfume, incense. Alcoholic western perfumes and air-fresheners should not be used.

Anyone in the state of janābat (i.e. requiring ghusl) should not remain by the mayyit (deceased).

The Qur'an Shareef should not be recited by the mayyit prior to the body having been given ghusl.

Now proceed with the ghusl and kafan of the mayyit without delay.

UNNECESSARY DELAY IN THE BURIAL

A common practice is to delay the burial in anticipation of a greater number of people for the janāzah (burial) service. It is reprehensible and not permissible to unnecessarily delay the burial. Waiting for a greater number of people or for relatives living in far-away towns and cities is not a valid reason for delaying the janāzah.

If a person has died early Friday morning, the trend is to delay the burial until after Juma' Salāt in order to ensure a large number of people to attend the Janāzah Salāt. Such delay is not permissible. The mayyit should be buried as soon as possible before Juma' Salāt. However, fear of missing Juma' Salāt will be a valid reason for delaying the burial until after Juma' Salāt.

GHUSL(BATHING THE MAYYIT)

Ghusl of the mayyit is wājib (obligatory) on the living. Since the ghusl is an incumbent duty on the living Muslims, it (the ghusl) will have to be executed even if the mayyit is recovered from the sea. Although immersion in water as a result of drowning, for example, thoroughly moistens and washes the body, nevertheless, ghusl will yet have to be effected on recovery of the body.

Ghusl of the mayyit is Fardh-e-Kifāyah. Hence, if one or two persons bathe the mayyit, the obligation is discharged on behalf of the whole community. If, however, no one effects the ghusl to the mayyit, the whole community will be liable for the sin of failing to fulfil this obligation.

THE FARDH REQUIREMENTS OF GHUSL

1. Water reaching every part of the body is Fardh (compulsory). Once the entire body from head to feet, has been thoroughly moistened or washed, the ghusl will be valid even if the Masnoon (Sunnat) method was not

observed. Thus, if a drowned person on being removed from the water is moved or swayed in the water with the niyyat (intention) of ghusl, then the ghusl will be valid.

This simple method is recommended for bodies which have become partly decomposed or badly mutilated as a result of having been submerged in the sea for some days. On retrieving the body from the water, it should be given its ghusl in the water as described above. Here it will be a valid reason for discarding the Masnoon method.

2. If the person has died in a state of janābat, haidh or nifās, then the application of water into the mouth and nostrils is obligatory. This should be done by moistening some cotton wool and gently rubbing it on the teeth, gums and in the nostrils.

Although the above two acts are only essential for the validity of ghusl, the Masnoon method should not be discarded unnecessarily. Abandonment of the Masnoon method without valid reason is sinful.

THE MASNOON METHOD OF GHUSL

The mayyit should be given ghusl on any flat surface which is raised above the ground, eg. on a table (nowadays, most communities have special tables/stands for this purpose). The table should be fumigated an odd number of times - 3, 5 or 7 times - with loban (incense) or any other tāhir (paak, pure) substance. Western air-fresheners should not be used as these contain alcohol.

The mayyit should then (i.e. after fumigation of the table) be laid on the table in such a position which will enable the body to be turned facing the Qiblah. To ensure this, the mayyit's feet should be in the direction of the Qiblah. Another method is to lay the body lengthwise to face the Qiblah when it is tilted on its right side, i.e. the same position in which it will be laid in the qabr (grave) or the Masnoon position adopted when going to sleep.

If for some reason it is difficult to adopt these positions, then any position may be adopted.

The garments should then be removed from the mayyit. Garments such as the kurta (shirt) which cannot be easily removed should be cut loose with a pair of scissors. Before removing the lower garment which covers the *satr* (i.e. the

portion from the navel to just below the knee) place a loose piece of cloth over the *satr*. It is *haraam* to view any part of the *satr* of either a living or a dead person.

Istinja of the mayyit should now be effected, i.e. the *satr* will be washed. Neither is it permissible to look at the *satr* nor to touch it with the bare hands. Cloth mittens should be put on the hands and the washing should be done with the cloth remaining on the *satr* throughout the duration of the *ghusl*.

After *istinja*, *wudhu* should be effected to the mayyit. The *wudhu* will be the same as the *wudhu* which a living person takes. The only difference is that the water will not be poured into the mayyit's mouth nor into the nose. For this purpose, cotton wool should be moistened with water and rubbed on the teeth and gums and turned in the nostrils.

The mouth and the nostrils should then be stuffed with cotton wool to prevent water entering while the *ghusl* is proceeding.

The hair and the beard should then be washed thoroughly.

Now turn the mayyit on the left side and pour water along the length of the body from head to feet in such a way that the water flows over the body down to the left side on which the mayyit has been laid. Rub the body as the water flows on it. Repeat this process thrice. Thereafter turn the body onto its right side. Repeat the washing thrice in the same way.

The water used for the *ghusl* should not be too hot nor too cold. Luke warm water should be used.

Then lift the body slightly in the sitting position and gently massage the stomach with a downward stroke. Any impurity emerging should be removed and the affected part of the body washed. The *ghusl* should not be repeated if any *najāsāt* (impurity) emerges, nor the *wudhu*.

Thereafter again lay the mayyit on its left side and pour camphor water over the entire body thrice. The *ghusl* is now complete. The body should be dried.

At all times ensure that the *satr* is concealed. The cloth covering the *satr* will be wet, therefore replace it with a dry cloth before taking the body to the *kafan*. While carrying the body to the *kafan*, ensure that the *satr* does not become

exposed. Wrap a sheet around the body before carrying it to the *kafan*.

THE KAFAN

The shrouds of cloth in which the mayyit will be wrapped for burial are called the *Kafan*.

The *Masnoon Kafan* for a male consists of three sheets known as the *lifāfah*, *qamees* and *izār*. The *Masnoon Kafan* for a female consists of five cloths known as *lifāfah*, *secnah-band*, *kurtah*, *izār* and *sar-band*.

THE MALE'S KAFAN

The *lifāfah* (the outer sheet which will cover the entire body from above the head to below the feet) should firstly be spread out. The *izār* which is a sheet from the head to the feet, should be spread on the *lifāfah*. The *qamees* should be placed on the *izār*.

The *qamees* is a sheet that will fit over the mayyit's body like a *kurtah*. It will have an opening for the head to go through. It will have no pockets, sleeves and seams. It is a plain white sheet which will cover the front and the back of the mayyit in the same way as a *kurtah* covers a person.

The *qamees* should be placed on the *izār* in such a position to enable it to be slipped over the head of the mayyit. Thus, one half of the *qamees* will be covering the back and one half the front of the mayyit.

The *Kafan* should be white in colour.

When the mayyit is laid on the *Kafan*, apply *itar* (alcohol-free perfume) to the hair and beard. *Itar* should not be applied to the *kafan* nor should bits of cotton wool soaked with perfume be placed in the ears of the mayyit.

Camphor should be rubbed onto the forehead, nose, both palms, both knees and both feet.

THE FEMALE'S KAFAN

First spread the *lifāfah*, then the *izār* on top of it. Then spread the *qamees*. At this stage the female mayyit should be laid on the *kafan*. Now wrap the *qamees* over the mayyit. Divide the hair on the head into two parts and place it on the

qamees over the breasts, one part on the right side and one part on the left side.

Now place the sar-band over the hair on the head without tying or wrapping it. Thereafter wrap the izār, first the left flap, then the right flap on top of it.

Now wrap the seenah-band in the same way, i.e. first left flap, then the right flap on top. The seenah-band is a sheet from the breasts to the thighs. The seenah-band may be wrapped after the sar-band and before wrapping the izār. It may also be wrapped second last, i.e. before the lifāfah which is the largest sheet. This outer-sheet, the lifāfah, is wrapped last, first the left side, then the right side on top of it. The sar-band is a piece of cloth which is for covering the head and the hair which has been placed on the breasts.

Tie strips of the cloth on the kafan at the head, feet and around the waist to prevent the kafan opening up when the mayyit is carried.

Itar (perfume) should not be applied to the hair of a female mayyit. However, camphor should be rubbed on the parts as described in the section dealing with the male's kafan.

MASĀ-IL (RULES) PERTAINING TO THE KAFAN

1. The five cloths/sheets required for a female's kafan are Sunnat. It is permissible to use only three cloths, viz. lifāfah, izār and sar-band.
2. It is Makrooh and sinful to use less than three cloths for a female's kafan.
3. The Sunnat kafan for a male consists of three sheets. Two sheets, the lifāfah and izār, will also suffice.
4. The Sunnat or Masnoon kafan (5 cloths for a woman and 3 for a man) should not be discarded unnecessarily.
5. It is not permissible to put any written dua, ta'weez or ayat in the kafan nor is it permissible to write anything on the kafan.
6. It is permissible to put a piece of the ghilāf of the Ka'bah Shareef in the kafan for the sake of deriving barkat (blessing).
7. It is permissible to purchase and keep one's kafan during one's lifetime.

8. When wrapping the kafan, the mayyit's hands should be at the sides.
9. The colour of the kafan should be white. This is Sunnat. If, for a valid reason, white is not available, any colour may be used. However, bright feminine colours such as red, yellow and orange are Makrooh for males.
10. If any part of the human body or half the body minus the head is found, it should be wrapped in the cloth and buried. There is no Masnoon kafan for it.
11. If with half the body the head is present, then it will be necessary to wrap it in the Masnoon kafan.
12. If somehow a qabr became open exposing the body or for some reason the body was exhumed and it became denuded of its kafan, then it should be wrapped in the Masnoon kafan provided that the body has not yet decomposed. If it has decomposed, then it should only be wrapped in a cloth and buried.

MASĀ-IL (RULES) PERTAINING TO GHUSL

1. The usual ghusl given to the mayyit will suffice even if the person has died in the state of janābat, haidh or nifās. One ghusl is adequate. However, if the person had died in the state of janābat, then it will be compulsory to moisten the teeth, gums and apply water in the nostrils as described in the section dealing with ghusl.
2. A small girl, i.e. 5-7 years, may be given ghusl even by males if females are not available for this purpose. Tayammum will not be permissible.
3. A girl described as *Murāhiqah* (above 7 years) cannot be given ghusl by males. If females are not available, then instead of ghusl, the mayyit will be given Tayammum. If the male effecting the Tayammum is a mahram, he should do so with his bare hands. If the male is a ghair mahram, he has to compulsorily don gloves for effecting the Tayammum.

If females are not available for the ghusl and kafan of a female mayyit, making it necessary for a man to effect the Tayammum, her garments should not be removed. The Masnoon kafan should be wrapped around the clothing which are on her body.

4. It is not permissible for a husband to give ghusl to his deceased wife, nor is it permissible for him to touch any part of her body with his bare hands. He may, however, look at her face and if she has no mahram males to lower her body into the qabr, he may assist with this task.
5. If males are not available, a wife may give the ghusl to her deceased husband. No other woman is allowed to participate in the ghusl even if she is a mahram. If the deceased male has no wife and only women are present, ghusl will not be permissible. Tayammum should be effected. The woman who will effect the Tayammum should wear gloves.
6. It is not permissible to comb the hair or beard of the mayyit.
7. It is not permissible to apply surmah to the eyes of the mayyit.
8. It is not permissible to cut the nails or the hair of the mayyit.
9. Remove the false teeth if this is possible.
10. A woman in the state of haith or nifas should not bathe the mayyit. It is prohibited.
11. Never reveal to others any defect/fault one observes on the body of the mayyit.
12. If only the human head without the body is found, ghusl will not be effected to it. It should, however be wrapped in a cloth and buried.
13. If more than half the human body is found, with or without the head, effecting ghusl is incumbent.
14. If half the human body is found with the head, ghusl will be given. If half the body is found without the head, ghusl will not be given.
15. If less than half the human body is found, ghusl will not be effected even if the head is with it.
16. If a mayyit is found in a predominantly Muslim area, ghusl will be given to it if its identity cannot be established. If it is established that the deceased is a non-Muslim, ghusl will not be effected.
17. If a number of Muslim bodies became mixed with non-Muslim bodies, eg. in a disaster situation, and identification is not possible, then all the

bodies will be given ghusl.

18. If after the mayyit was given tayammum on account of inavailability of water, water is found, then ghusl will be effected.
19. If a mayyit was not given ghusl, then until such a time the qabr has not been filled with sand, it (the body) shall be removed and the ghusl given. It will not be permissible to exhume the body for ghusl and kafan once the grave has been closed.
20. It is preferable for the closest relatives to effect the ghusl. Although this is best, any Muslim may perform this obligation.
21. It is better to have such a person to perform the ghusl, who will not ask for a wage.

KHUNTHĀ MUSHKIL

A hermaphrodite or a person with both male and female sexual organs is termed *Khunthā Mushkil*. It is not permissible to effect ghusl to the mayyit if the person is a *Khunthā Mushkil*. Tayammum should be effected.

Khunthā Mushkil is a person whose sex cannot be determined on account of both sex organs being equally functional. If any one organ has greater dominance, the person will be classified accordingly and will then not be *Khunthā Mushkil*, eg. if the male organ only functions or is more functional than the female organ, the person will be classified as a male or vice versa.

THE MURTAD

Murtad is a Muslim who has renounced Islam. Even if a person does not openly renounce Islam, but rejects any of the essentials of the Deen, e.g. Salāt, Saum, Finality of the Risālat (Prophethood), he/she will be a *murtad*.

It is not permissible to effect the Masnoon ghusl, kafan and dafan (burial) for a *murtad*. It is also not permissible to hand over the *murtad's* body to his co-religionists.

The body of a *murtad* shall not be washed nor wrapped in a cloth. It shall be dumped into a hole and covered up in the same way as a dead animal is buried.

IF THE NON-MUSLIM MAYYIT IS A CLOSE RELATIVE

When a non-Muslim relative, eg. mother or father dies and there is only a Muslim relative to organise the burial, the mayyit should be handed over to the non-Muslims. If for some reason the non-Muslims refuse, then the Muslim relative should attend to the burial.

Masnoon kafan and Masnoon burial are not permissible for non-Muslims. However, the body shall be washed in the same way as najis cloth is washed, wrapped in any cloth and placed in a hole without observing the Islamic way of burial.

Whereas the Muslim mayyit becomes tāhir (paak) with ghusl, the kāfir mayyit remains najis (impure) even after washing.

It is not permissible for Muslims to participate in the funeral and burial services of non-Muslims even if they are parents or neighbours.

BURYING THE MAYYIT

Burying the mayyit is Fardh-e-Kifāyah. If a few persons bury the mayyit, the obligation is discharged on behalf of the whole community. However, if no one executes this duty, the whole community is sinful.

Burial should take place immediately after the Janāzah Salāt has been performed. There should be no unnecessary delay.

If the mayyit is an adult or a big girl or boy, it should be carried on any convenient carrier (a flat surface). In most cases a special janāzah is made for this purpose. In some places a light bed (made of bamboo and rope) is used.

Four males at a time shall carry the janāzah, one man holding aloft each corner. The janāzah shall be carried aloft on the shoulders, not in the hands low down as is the style of non-Muslims.

It is Makrooh to unnecessarily transport the janāzah by vehicle. The Masnoon way is to walk with the janāzah.

HOW TO CARRY THE JANĀZAH

It is Mustahab to walk at least 40 steps carrying the janāzah. This is accomplished as follows:

First carry the left front of the janāzah on the right shoulder (this will be the mayyit's right shoulder) and walk ten steps. Then carry the left rear on the right shoulder for 10 steps. Then carry the right front on the left shoulder for 10 steps and finally the left right rear on your left shoulder for 10 steps.

If the crowd is big, this method may be omitted. Inconvenience should not be caused to others.

It is Masnoon to carry the janāzah walking briskly without running or jogging. However, the body should not be jolted while walking.

Those accompanying the janāzah should walk behind, not ahead of the janāzah.

Those accompanying the janāzah should not recite anything audibly. They may recite silently to themselves.

When carrying the janāzah, the mayyit's head should be in front.

It is Makrooh for those accompanying the janāzah to sit before it has been lowered from the shoulders of those who are carrying it.

When lowering the janāzah on the ground, it should be placed lengthwise on the Qiblah side of the grave at the feet.

Before lowering the body of a female, Purdah (Hijab) should be arranged. The qabr should be covered with a sheet while the body is being lowered.

THE QABR (GRAVE)

There are two types of qabr:-

1. The Lahd type
2. The Shiq type.

LAHD

In this type of qabr a shallow incision is made along the entire length of the qiblah side wall of the grave at the bottom. The mayyit is placed inside the Lahd (the incision) which is then closed with unbaked bricks or timber.

This type of qabr is the most popular where the ground is firm.

SHIQ

In this type of qabr an incision or shallow trench is dug on the floor of the grave in the centre. The body is placed in the incision which is then covered with timber.

This type of qabr is used where the ground is soft or so sandy that making a Lahd in the side of the wall is not possible.

LOWERING THE MAYYIT INTO THE QABR AND FILLING THE QABR

The janāzah is placed at the feet side of the qabr with the head to the grave. A few people (3 or 4) will be inside the qabr to receive the mayyit as it is being lowered by those outside the grave. Those inside should face the Qiblah.

Several persons outside will lower the body onto the hands of those inside. Those inside will gently lower the body and place it inside the Lahd (the incision in the Qiblah-side wall) on its right side so that the mayyit faces the Qiblah. The outer strips of the cloth with which the kafan was tied should now be removed or just untied. Those on the outside of the qabr passing on the body and those inside the qabr receiving the body, should when handling the mayyit, recite:

بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ

"In the Name of Allah and on the Millat (Deen) of Rasulullah."

The Lahd should then be covered with unbaked bricks or timber. Those inside should now come out. Soil should now be poured into the qabr. It is Masnoon for those filling the qabr to firstly throw in three handfuls. When throwing the first handful (using both hands), recite:

مِنْهَا خَلَقْنَاكُمْ

"From it (sand) have We created you."

When throwing the second handful, recite:

وَفِيهَا نُعِيدُكُمْ

"And into it We return you."

When throwing the third handful, recite:

وَمِنْهَا نُخْرِجُكُمْ تَارَةً أُخْرَىٰ

"And from it will We take you out a second time."

The sand should first be thrown in at the head side. The qabr may then be filled with spades, etc.

The shape of the qabr should be humped like a camel's back. It should not be made rectangular. The height should not exceed 30cm. The depth of the qabr should be between half the height of the mayyit and its full height. It should not be less than half the mayyit's height nor deeper than the height of the mayyit.

Only the quantity of sand which was dug from the qabr should be used to fill it.

AFTER CLOSING THE QABR

After the qabr has been filled, all those present should silently recite some Surah's or ayats of the Qur'an Shareef and make Dua of Maghfirat (forgiveness) for the mayyit. While making dua at the graveside, the hands should not be lifted.

It is preferable to recite the initial few verses of Surah Baqarah until هُمُ الْفَالِحُونَ and the last ruku' of Surah Baqarah. Any other Surahs or verses may also be recited. Then silently beseech Allah Ta'ala to accept your recital and bestow

the reward thereof to the mayyit. Pray to Allah Ta'ala to forgive the mayyit. This ends the Islamic burial service. All other practices in vogue on this occasion are excesses, baseless and innovations (bid'at) which have to be shunned.

IF THE MAYYIT IS A CHILD OR AN INFANT

A baby or a small child will also be given the Masnoon ghusl, kafan and dafan (burial).

A small child will be carried in the arms of those accompanying the janāzah. It should be passed from the arms of one person to the arms of another.

EXHUMATION OF THE MAYYIT

Once the mayyit has been closed with sand, exhuming it will not be permissible except when the rights of others are related to it. Such examples of permissible exhumation are:

1. The mayyit was buried in the property of a person without obtaining the consent of the owner. If the owner demands that the body be removed, it will be incumbent to exhume it. He also has the right to flatten the grave and use the land for his purposes without ordering exhumation. If, however, he allows the qabr to remain, it will be an act of Thawāb (reward).
2. The mayyit had swallowed some valuable item and its owner demands its return. The body will then be exhumed.

Exhumation for medical examination and postmortem is not permissible.

3. After closing the qabr if it is recalled that the mayyit was not laid facing the qiblah, then the qabr should not be exhumed for this purpose.

DEATH AT SEA

When a person dies on board a ship, the mayyit will be given ghusl, kafan and Janāzah Salāt will be performed.

If land is nearby and there is no fear of the body decomposing, burial should be delayed until the ship docks. If land is far away and there is fear of decomposition, the body should be lowered into the sea.

THE STILLBORN CHILD

1. If the foetus has developed any human parts, eg. hand, finger, nail, hair etc. it will be regarded as a child. This foetus will be given ghusl, wrapped in a cloth without observing the Masnoon ghusl and buried in the normal Masnoon way. However, Janāzah Salāt will not be performed.
2. If the foetus has not developed any human organ, it will not be regarded as a child. There is no ghusl, no kafan and no Masnoon dafan (burial) for this foetus. It shall be wrapped in a cloth and buried.
3. If a fully-formed child is born dead, it will be given ghusl and wrapped in a cloth and buried in the usual way without performing Janāzah Salāt.
4. If the child is born alive, but dies immediately on birth, it will be treated in exactly the same way in which a mayyit is treated. All Shar'i rites are applicable to it.

MISCELLANEOUS MASĀ-IL

1. It is not permissible to put flowers or wreaths on the qabr. This is a custom of the kuffār.
2. It is not permissible to build walls or any structure whatever on or around the qabr.
3. It is not permissible to put a tombstone at the qabr in the way the kuffār do. At most, the name of the mayyit may be written on a simple stone or plank.
4. The practice of pouring water regularly on the grave, believing this to be Masnoon or an act of ibadat, is not permissible.
5. It is not necessary that an odd number of people descend into the qabr to bury the mayyit.
6. The mahram males of the female mayyit should descend into the grave to lower and bury the body. Those on the outside passing on the body should likewise be mahram males of the mayyit. If mahrams are not present, others will be bound to do the burial.

7. If it is raining heavily, the qabr of even a male may be covered with a sheet, plastic etc. while lowering the body.
8. It is not permissible to transport the mayyit to another town/city for burial. Burial must take place in the qabrastan (cemetery) of the town where the death occurs.
9. If the child is alive inside a pregnant woman who has died, she will be operated on and the baby removed. To do so is obligatory.
10. It is permissible to open the grave for burying another mayyit if there is certainty that the earlier mayyit had already become transformed into the soil. If upon opening the grave some bones are discovered, these should be left to one side in the same grave and the other mayyit may be buried therein.
11. The practice of making dua after 70 steps from the qabr (after burial) is bid'ah (innovation) which is not permissible.
12. It is bid'ah to recite the Athān at the graveside.
13. It is permissible to fill sand in and on the grave which has sagged down.
14. It is not permissible to effect Magnoon ghusl, kafan and dafan to a Shiah, Qadiani or any followers of sects which subscribe to kufr nor is it permissible to bury them in the qabrastan of Muslims.
15. After the mayyit has been lowered into the qabr, the face should not be opened for viewing.
16. Islam does not prescribe any special garments for mourning the dead.
17. The funeral expenses will be taken from the estate of the mayyit. If the mayyit has no estate, the Asbāt (male relatives on the father's side) are responsible for the expenses except in the case of a married woman. Her husband will be responsible for her funeral expenses if she dies a pauper.
18. Even if a person has committed the heinous sin of suicide he/she will be given ghusl, kafan and dafan in the qabrastan.
19. Followers of bātil sects such as Shiahs, Qadianis etc. should not be bur-

- ied in the qabrastan of Muslims.
20. If one of the parents of a child mayyit is a Muslim, the child will be regarded a Muslim and ghusl, kafan etc. will be accorded.
 21. If a mayyit was buried without ghusl and Janāzah Salāt, the qabr will not be opened. Janāzah Salāt will be performed at the graveside.
 22. It is not permissible for women to accompany the Janāzah to the qabrastan (cemetery).
 23. It is permissible to stand in respect of the mayyit when the Janāzah passes one. Sitting is also permissible. Standing is not incumbent.
 24. Death on a Friday is a great blessing. The mayyit is saved from the questioning and punishment of the grave.
 25. If a woman dies at the time of childbirth with the baby having emerged partially, eg. only the hands etc. then the child will not be separated from her if it too has died. Only one ghusl, kafan and Janāzah Salāt will be discharged.
 26. There is no questioning in the qabr by the two Angels, Munkar and Nakier, for the following:
 1. The Shaheed
 2. The Murābit, i.e. one who dies guarding the frontiers of Dārul Islam (an Islamic State).
 3. One who dies in a plague/epidemic.
 4. One who dies in a plague without even having contracted the disease provided he was a patient.
 5. The Siddique, i.e. a Saint of high rank.
 6. Babies.
 7. One who dies on a Friday night.
 8. One who recites Surah Mulk every night.

TA'ZIYAT (CONDOLENCE)

Meeting the close members of the mayyit and consoling them is called Ta'ziyat. Ta'ziyat is Sunnat.

When visiting the relatives of the mayyit, they should be comforted, consoled and given encouragement. The virtues of Sabr (patience) should be expressed.

Ta'ziyat should take place within three days of the demise of the mayyit. This is for the local residents. After three days, Ta'ziyat is Makrooh. However, for those coming from different towns, Ta'ziyat is valid even after the third day.

A person who has once discharged the obligation of Ta'ziyat should not repeat it. It is Makrooh to go for Ta'ziyat a second time.

Ta'ziyat should not take place immediately after burial. The crowd should not return from the qabristan to the home of the mayyit. It is Makrooh to do so. Ta'ziyat is an act to be executed individually at any time within three days.

It is not Sunnat for those coming for Ta'ziyat to recite Surah Mulk or engage in any prescribed dua for the mayyit in the home of the relatives.

If the Ta'ziyat was offered by way of letter, it should not be repeated by one's physical presence.

The following dua may be recited on the occasion of Ta'ziyat:

عَظَّمَ اللَّهُ أَجْرَكَ وَأَحْمِنُ عَزَائِكَ
وَقَفَّرَ لِمَيِّتِكَ ۞

"May Allah grant you great reward; May He comfort your distress and may He forgive your deceased."

ISAAL-E-THAWAB

Isaal-e-Thawab means bestowal of Thawab (reward of good acts) to the deceased.

In this regard people adhere to a variety of bid'ah practices and customs. Innovated practices which have neither origin nor sanction in the Sunnah have

no merit. The mayyit does not benefit from such baseless and un-Islamic customs.

Isaal-e-Thawab should be rendered in the way of the Salf-e-Saliheen (the Sahabah and Ta'biceen). Any good deed should be performed and dua should be made to Allah Ta'ala to bestow the Thawab thereof to the mayyit. Reciting Qur'an Shareef, performing Nafl Salât, charity, etc. according to one's ability and means, without any ostentation, gathering or observance of any specific day, eg. 7th or 40th day, are acts which could be offered for the Thawab of the mayyit.

There are no congregational or prescribed acts or customs to be observed for the Isaal-e-Thawab of the deceased.

WASEELAH

What is the meaning of Waseelah? There is a sect which spreads great mischief and fitnah in the Ummah by the false presentation of the conception of Waseelah and by its slander against the Ulama-e-Haqq who expounded the correct Islamic meaning of this concept.

Waseelah in the Shariah means to supplicate directly to Allah Ta'ala for the acceptance of one's dua through the agency of Rasulullah (Sallallahu alayhi wasallam) or any other Nabi or Wali of Allah Ta'ala. The Islamic meaning of Waseelah does not consist of praying or making dua to Rasulullah (Sallallahu alayhi wasallam) or any other created being. Islam teaches that the only Being to whom prayers and dua have to be directed is Allah Azza Wa Jal. Directing one's prayer and dua to any being other than Allah Ta'ala is shirk or polytheism, and shirk is the worst of sins committed against Allah Ta'ala.

The sect known as the Ahle Bid'ah (or Qabar Pujaris) slanders the Ulama-e-Haqq by alleging that the latter reject Waseelah and in so doing are disrespectful to Rasulullah (Sallallahu alayhi wasallam). The Ulama at no time whatever had rejected the belief of Waseelah. However, the beliefs and accretions of shirk which the grave-worshippers have clustered to the proper Waseelah method, are what the Ulama of Deoband and all Ulama throughout the ages of Islamic history have persistently criticised and rejected.

In the unanimous view of all the Ulama of the Ahl-e-Sunnah Wal Jama'ah, adoption of Waseelah in dua is not only permissible, but is meritorious. The

excesses and transgressions caused in regard to this practice are condemned. The correct *Waseelah* method is based on the Qur'aan, Hadith and Ijma' of the Ummah. This is the belief of all the Ulama of Deoband whom the Qabar Pujaaris slanderously accuse of rejecting *Waseelah*. The Qabar Pujaaris are indeed guilty of a grave act of injustice. They are wantonly closing their eyes to the truth.

Hadhrat Maulana Ashraf Ali Thaanyvi (rahmatullah alayh) has written a treatise in substantiation of the validity of the Islamic conception of *Waseelah*. In his treatise, Hadhrat Hakimul Ummah has clarified this question. Any Muslim who has no bias and malice to churn out against the Ulama of Deoband will in all honesty acknowledge the truth of our Ulama and dismiss with disgust the evil slanders of the Qabar Pujaari sect.

Tawassul (another word for *Waseelah*) is classified into three categories, viz.,

1. To supplicate (or make dua) directly to created beings is the way of the mushrikeen (the polytheists). This form of *tawassul* is unanimously haram. If this form of *waseelah* is accompanied by the belief that the created being to whom the prayer is directed, is himself independent and able to grant the prayer, then such belief will be such *shirk* which is kufr in the same way as *Salat* or *Saum* (Fasting) offered to a created being will be such *shirk* which is kufr.

The conception of independence and self-sufficiency (*Istiqlaal*) as believed in by certain misguided people, is to believe that Allah Ta'ala has assigned certain affairs to the created being in such a way that the created being in executing the affair is not dependent on the special Will of Allah Ta'ala even though they acknowledge that Allah Ta'ala has the power of dismissing the created being from the office assigned to him (created being).

2. Requesting a created being to supplicate (make dua) on one's behalf. This form of *tawassul* is permissible in relation to a living person since it is manifestly clear that a living person can make the dua. However, since there exists no Shar'i evidence (*daleel*) to indicate that this type of *tawassul* is valid in relation to a person who has died, a dead person cannot be asked to supplicate on behalf of one.

3. To supplicate directly to Allah Ta'ala, asking Him to accept one's dua by virtue of the *barkat* (auspiciousness) of a pious created being. The *Jamhoor* (majority of the Ulama of Shari'ah) have opined that this form of *tawassul* is permissible. And, the Ulama of Deoband accept and adopt this method while rejecting the former two methods.

THE SHAHEED (MARTYR)

Shaheed is a Muslim who is martyred in the path of Allah.

Different kinds of *Shaheed* are mentioned in the ahādith. Broadly speaking, there are two types of *Shaheed*:

1. The *Shaheed* to whom certain special rules and rites pertaining to *Janāzah* service are applicable.
2. The *Shaheed* to whom the special rules and rites with regard to *Janāzah* are not applicable. This second kind of *Shaheed* will attain the lofty ranks of *shahādat* (martyrdom) in the *Ākhirah*. However, in terms of the Shari'ah the *Ahkām* (laws) applicable to the first kind of *Shaheed*, are not for the second kind of martyr.

Henceforth in this discussion, *Shaheed* will mean a *Shaheed* of the first kind.

The conditions qualifying a person as *Shaheed* of the first type are:

1. **SANITY:** The person should be sane when martyred. An insane person is excluded.
2. **ADULTHOOD:** The person martyred should be an adult. A minor is excluded.
3. **TAHĀRAT:** At the time of martyrdom, the person should be devoid of *hadth-e-akbar*. In other words, he should not be in a state of *janābat* which necessitates a *fardh ghusl*. If a female, she should not be in the state of *haidh* or *nifās*.
4. **INNOCENCE:** The person was killed unjustly. Thus, a person killed in a Shar'i act of punishment is excluded.
5. **WEAPON:** The person martyred should be killed with a weapon de-

signed to kill if he was killed unjustly by a Muslim or a Zimmi (a non-Muslim citizen of the Islamic State). Hence, if he is killed by a Muslim with a stone or a stick, the worldly rules applicable to the Shaheed will not be accorded to him. However, if he was martyred by the kuffār or the body was found in the battlefield, the type of weapon is of no significance. The martyr in these instances will be a Shaheed.

A Muslim killed in a battlefield in any way whatever, will be a Shaheed. Thus, he will be a Shaheed even if he falls from a vehicle and dies in the battlefield.

6. **MONETARY COMPENSATION:** Initially there should be no Shar'i monetary compensation for the killing. If the Shari'ah has initially prescribed a monetary compensation, the rules of the Shaheed will not apply, eg. a Muslim accidentally kills another Muslim with a weapon designed to kill or a Muslim intentionally kills another Muslim with a weapon not designed to kill, a Muslim mayyit is found in some place other than the battlefield and the killer is unknown. In these examples the Ahkām (laws) of a Shaheed will not be applicable because the Shari'ah has prescribed monetary compensation for the heirs of the killed person.

If the Shari'ah does not initially prescribe monetary compensation for the killing, but monetary compensation is paid by way of a compromise between the parties, the Ahkām of the Shaheed will apply, eg. a Muslim intentionally and unjustly kills a Muslim with a weapon to kill. In this example the Shari'ah prescribes the penalty of Qisas (i.e. the killer should be executed in lieu of the person he had killed). If the killer reaches a compromise with the heirs of the killed person and pays them some monetary compensation, the Ahkām of the Shaheed will be applicable.

7. **WORLDLY BENEFIT:** The martyred person should not have derived any worldly benefits, eg. food or medical treatment etc. from the time he was wounded until his death. If after having been wounded, he/she was medically treated or fed and thereafter he/she died, the Ahkām of the Shaheed will not apply.
8. **TIME LAPSE:** If the martyred person lived for a full Salāt time fully conscious from the time of being wounded until death, the Ahkām of the Shaheed will not apply. To qualify for this type of shahādāt (i.e. of the

first kind), it is necessary that death occurs before one full Salāt time lapses, eg. a person was wounded just before Zuhr time and he died before the expiry of Asr time, he will qualify as a Shaheed.

9. **TRANSFERENCE FROM THE BATTLEFIELD:** If a conscious, wounded person is transferred from the battlefield, the Ahkām of the Shaheed will not apply. However, if the transference was occasioned by some danger, eg. of being mutilated etc., then he/she remains a Shaheed.
10. **ABUNDANT SPEECH:** After being wounded if the person indulges freely in conversation, speaking much, he will not qualify for the Ahkām of the Shaheed if he dies.
11. **WASIYYAT:** If the wounded person makes a Wasiyyat (bequest) pertaining to worldly affairs and thereafter dies, he will not qualify for the Ahkām of the Shaheed. However, if the Wasiyyat pertains to a Deeni matter, he will qualify as a Shaheed.

NB. If a person dies in the battlefield while the battle is in operation, then all the acts mentioned in Nos. 7, 8, 10, and 11 will not disqualify him. Then, despite the incidence of these acts, he will be a Shaheed.

THE AHKĀM OF A SHAHEED

When a martyred person qualifies as a Shaheed of the first class, the following Ahkām (laws of the Shari'ah) will become applicable:

1. Ghusl shall not be given to the Shaheed.
2. Blood of the Shaheed will not be washed from the body.
3. The garments on the body of the Shaheed will not be removed. However, if the garments on him/her are less than the Masnoon number, then more garments (cloth) will be added to conform to the required Masnoon number. Similarly, if the garments on the Shaheed exceed the Masnoon number, the excess will be removed.

If on the body of the Shaheed is such a garment which lacks the quality of being a kafan, eg. overcoat, it should be removed. But, if there are no garments on his body other than the overcoat, it shall not be removed.

Headgear, shoes, weapons and any other similar items must be removed in all cases.

4. Besides the above mentioned exceptions, all other Ahkām pertaining to the dead will be applicable to the Shaheed.
5. If any single one of the conditions required for the qualification of a Shaheed is lacking, the martyr will be treated in exactly the same way as all other amwāt (dead). Ghusl and kafan will be fulfilled.

MISCELLANEOUS MASĀ-IL PERTAINING TO SHAHĀDAT (MARTYRDOM)

1. **Question:** Robbers or thieves entered a man's home. While defending his property, he was killed. Is the murdered man a Shaheed of the first category?

Answer: He is a Shaheed of the first category. Ghusl will not be given to his body nor will his garments be removed as has been explained earlier on.

2. **Question:** An insane man attacked his wife with an axe and killed her. Is she a Shaheed?

Answer: She is a Shaheed.

3. **Question:** In a prison, the wardens beat to death a Muslim prisoner who refused to submit to an un-Islamic (haraam) demand. What is his position?

Answer: He is a Shaheed.

4. **Question:** What is the position of Muslims who are killed in attacks made on them by non-Muslims during a riot?

Answer: They are Shuhadā (plural of Shaheed).

5. A person on a journey or dying all alone dies the death of Ghurbat (forlorn, all alone). In terms of the Ākhirah he attains the rank of Shahādat. The person who dies in the state of Ghurbat is spoken of highly in the Hadith.

6. One who dies in a fire or by drowning or by having been crushed under a wall or in a building which collapses, attains the rank of Shahādat in the Ākhirah.

7. SAYYIDUS SHUHADĀ (THE CHIEF OF THE MARTYRS) is the title which Rasulullah (Sallallāhu alayhi wasallam) bestowed to his uncle, Hadhrat Humza (radhiallahu anhu) who was martyred. His body was badly mutilated.

THE MAYYIT'S WALI

The person the Shari'at has appointed as the guardian of the mayyit is called a Wali.

Those relatives on the father's side known as *Asbāt* are the *Auliya* (plural of Wali) of the mayyit. The order of priority of the mayyit's Auliya are as follows: father, grandfather (paternal grandfather), son, grandson (son's son) brother, nephew (brother's son). Thus, the first Wali whose right it is to perform the Janāzah Salāt is the father. In the absence of the father, the right devolves to the grandfather and in his absence to the son, then the grandson, then the brother and finally to the nephew.

If the mayyit is a female who has no male Auliya, her Wali will then be her husband.

In a Muslim country the right of performing the Janāzah Salāt devolves first on the Muslim ruler or the one whom he appoints for this purpose.

The Imam of the local Musjid has a greater right than the *Asbāt* to lead the Janāzah Salāt.

Where there is a Muslim ruler, his representative or the local Imam, it is not permissible for anyone else to conduct the Janāzah Salāt without their consent.

In the absence of the Muslim ruler, his representative or the local Imam, it is the right of the *Asbāt* to perform the Janāzah Salāt. If anyone performs the Janāzah Salāt without the consent of the Wali (from among the *Asbāt*), the Wali has the right of repeating the Salāt. Even after the mayyit has been buried, the Wali has the right to perform the Janāzah Salāt at the graveside as long as the decomposition of the body has not commenced.

If one who has a prior right over the Wali, eg. the ruler or the local Imam, performs the Janāzah Salāt without the consent of the Wali, the latter (i.e. the Wali) will not be entitled to repeat the Salāt.

SALĀTUL JANĀZAH (THE FUNERAL PRAYER)

1. The Janāzah Salāt is in fact a dua (prayer and supplication) on behalf of the dead.
2. The Shuroot (conditions) of other Salāts are applicable to Janāzah Salāt as well.
3. The mayyit (the dead) should be placed in front of those performing the Janāzah Salāt. The Imam should stand in line with the breast of the mayyit.
4. Two things are Fardh in Salātul Janāzah, viz.:
 - i. To recite "Allahu Akbar" four times.
 - ii. Qiyaam - to perform the Janāzah Salāt standing. There is no Ruku, Sajdah, etc. in Salātul-Janāzah.
5. Three things are Sunnat in Salātul Janāzah, viz.:
 - i. Hamd - to recite Praises to Allah Ta'ala.
 - ii. Durood upon Rasulullah Sallallahu alayhi wasallam.
 - iii. Dua for the mayyit.
6. Jama't (congregation) is not a condition for the validity of Salātul Janāzah. Hence, if even one person - man or woman - performs it, the Fardh obligation is discharged. But, the need to perform this Salāt in Jama't is of overriding importance since it is a dua for the mayyit.

HOW TO PERFORM SALĀTUL JANĀZAH

The mayyit should be placed in front with the Imam standing in line with the mayyit's breast. It is Mustahab to form three rows behind the Imam. If there are only seven people - one of them being the Imam - three should stand in the first Saff (row), two in the second Saff and one in the third Saff.

The following Niyyat is then recited (or an intention is made in the mind):

نَوَيْتُ أَنْ أُصَلِّيَ صَلَاةَ الْجَنَازَةِ لِلَّهِ تَعَالَى
وَرُغَاءً لِلْمَيِّتِ

(I make Niyyat of performing Salātul Janāzah for Allah Ta'ala and as a dua for the deceased.)

After the Niyyat recite "Allahu-Akbar" and raise the hands to the ears (as in other Salāts) and fold as usual. Recite now Thana:

سُبْحَانَكَ اللَّهُمَّ وَبِحَمْدِكَ وَتَبَارَكَ اسْمُكَ وَ
كَعَالِي جَدِّكَ وَلَا إِلَهَ إِلَّا أَنْتَ

(SUB-HAANA-KAL-LAA-HUMMA WA BI-HAMDI-KA WA TA-BAA-
RAKAS MUKA WA TA-AALA JAD DU-KA WA LAA-ILAA- HA GHAY RUK.)

Glory unto You, O Allah! All Praise unto You. Blessed is Your Name and Most High is Your Majesty. There is none worthy of worship but You.

After Thana, recite again "Allahu-Akbar" once, but do not raise the hands. After this Takbeer recite Durood-e-Ibrahim.

Durood-e-Ibrahim

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ كَمَا صَلَّيْتَ عَلَى
إِبْرَاهِيمَ وَعَلَى آلِ إِبْرَاهِيمَ إِنَّكَ حَمِيدٌ مَجِيدٌ

(ALLAHUMMMA SALLI ALA MUHAMMADIN WA-ALA AALI
MUHAMMADIN KAMA SAL-LAITA ALA IBRAHIMA WA-ALA ALI
IBRAHIMA INNAKA HAMIDUM-MAJEED.)

اَللّٰهُمَّ بَارِكْ عَلٰى مُحَمَّدٍ وَعَلٰى اٰلِ مُحَمَّدٍ كَمَا بَارَكْتَ

عَلٰى اِبْرٰهِيْمَ وَعَلٰى اٰلِ اِبْرٰهِيْمَ اِنَّكَ حَمِيْدٌ مُّجِيْدٌ

(ALLAHUMMA BARIK ALA MUHAMMADIN WA ALA AALI MUHAMMADIN KAMA BARAK-TA ALA IBRAHIMA WA ALA AALI IBRAHIMA INNAKA HAMIDUM-MAJEED.)

"O'. Allah! send Thy mercy on Muhammad (Sallallahu alayhi wasallam) and on his progeny as Thou has sent Thy mercy on Ibrahim and his progeny. No doubt! Thou art Great and Praiseworthy! Oh Allah! send Thy blessings on Muhammad Sallallahu alayhi wasallam and on his progeny as Thou blessed Ibrahim and his progeny. No doubt! Thou art Great and Praiseworthy."

After Durood-e-Ibrahim recite "Allahu-Akbar" again once (but do not raise the hands), and recite a dua for the mayyit. If the mayyit is a baaligh (of age) male or female recite the following dua:

اَللّٰهُمَّ اغْفِرْ لِحَيَّتِنَا وَمَيِّتِنَا وَشَاهِدِنَا وَغَائِبِنَا وَصَغِيْرِنَا وَكَبِيْرِنَا

وَذَكَرْنَا وَاَنْتَ اَللّٰهُمَّ مَنْ اَحْيَيْتَهُ مِنْنَا فَاحْيِهِ عَلٰى الْاِسْلَامِ

وَمَنْ تَوَفَّيْتَهُ مِنْنَا فَتَوَفَّهُ عَلٰى الْاِيْمَانِ ۞

(ALLAHUMMAGH-FIR-LI HAY-YINA WA MAYY-YITI-NA WA SHA-HIDI-NA WAS GHA-IBI-NA WA SAGHEE-RINA WA KABEE-RINA WA ZAKA-RINA WA UN-SANA ALLAHUMMA MAN AH-YAI-TA-HU MIN-NA FA-AH-YIHI A-LAL ISLAM WA MAN TAWAF-FAI TAHU MIN-NA FATAWAF-FAHU ALAL IMAN.)

"O'. Allah forgive our living and dead, present and absent, big and small, men and women. O'. Allah, whoever among us is kept alive, by You, keep him alive on Islam and whomever You give death, let him die on Imān."

If the deceased is a Na-baaligh (minor) boy, recite:

اَللّٰهُمَّ اجْعَلْهُ لَنَا قَرٰطًا وَاجْعَلْهُ لَنَا اَجْرًا وَذَخْرًا وَ

اجْعَلْهُ لَنَا شَافِعًا وَمُشَفَّعًا

(ALLAHUMMAJ-AL-HU LANA FARATAU WAJ-AL-HU LANA AJ-RAU WA-ZAKHRAU WAJ-AL-HU LANA SHA-FI-AU WA MUSHAF-FA-A.)

"O'. Allah, Make him a source of happiness for us;

and make him a reward and a treasure for us.

and make him for us an intercessor and an accepted intercession."

If a Na-baaligh girl, recite the same dua as for a Na-baaligh boy but recite on all the three places "Aj-Alha" instead of "Aj-Alhu" and

شَافِعَةً وَمُشَفَّعَةً

(SHA-FI-ATAU WA MUSHAF-FA-ATAN)

instead of

شَافِعًا وَمُشَفَّعًا

(SHA-FI-AW WA MUSHAF-FA-A.)

After the dua, recite once again "Allahu-Akbar". Again do not raise the hands. After this fourth Takbeer make the Salaams as is done in other Salāts. After the fourth Takbeer, release the hands, i.e. even before the Salaam.

The Imam recites the four Takbeers and the Salaams aloud and the Muqtadis silently.

MASĀ-IL PERTAINING TO JANĀZAH SALĀT

1. Time is not a condition for the validity of Janāzah Salāt. It could be performed at any time.
2. If one fears that Janāzah Salāt will be missed if one engages in wudhu, it will be permissible to make Tayammum.

3. Janāzah Salāt is not permissible for a person who has been executed for the crime of having murdered any one of his parents.
4. Janāzah Salāt will be performed for a child if any one of his/her parents is a Muslim.
5. The body and the kafan of the mayyit should be tāhir (paak/clean/pure). Janāzah Salāt is not valid if either the body or the kafan is najis (impure). The body should be pure of both Najāsāt-e-Hukmiyah ((Hadth which requires ghusl) and Najāsāt-e-Haqiqiyah (physical impurities). However, if after having completed ghusl and kafan, Najāsāt emerged from the body and soiled the mayyit or the kafan, then in this case, Janāzah Salāt will be valid.
6. If for a valid reason ghusl could not be given and tayammum too was not effected, then Janāzah Salāt will not be valid. However, if the mayyit has already been buried without any form of tahārat (ghusl or tayammum) having been effected, then it is permissible to perform Janāzah Salāt at his/her graveside.
7. If the Janāzah Salāt was performed on the mayyit while it was in the state of impurity and thereafter buried, the Salāt should again be performed at the graveside of the mayyit.
8. The mayyit should be placed in front of those performing the Janāzah Salāt otherwise the Salāt will not be valid.
9. For the validity of the Janāzah Salāt, the mayyit or the container in which the mayyit lies should be on the ground. If it is in a vehicle or on the backs of people, Janāzah Salāt will not be valid.
10. Janāzah Salāt will be valid only if the body is present. Janāzah Salāt for a mayyit in another city/country is not valid.
11. The things and acts which invalidate other Salāt, invalidate Janāzah Salāt as well. However, if someone laughs aloud while performing Janāzah Salāt, then although the Salāt will be nullified, wudhu will not break as it would in other Salāt.
12. It is Makrooh Tahrimi (reprehensible and not permissible) to take the

Janāzah inside the Masjid. The Janāzah Salāt should not be performed inside the Masjid.

13. It is not permissible to perform the Janāzah Salāt while sitting if one has no valid reason for sitting.

WHEN THERE IS MORE THAN ONE JANĀZAH

14. When several Janāzah are present at the same time, it is better to perform each Janāzah Salāt separately. If a single Salāt is performed for all the Janāzah present, it will also be permissible.

If a single Janāzah Salāt is performed, the method of arranging the Janāzahs is to place them in a vertical row with all the heads in one direction. In this arrangement the Imam will be standing in line with the breasts of all the mayyits.

If the Janāzahs present are of different classes, i.e. men, women, and children, the Janāzahs of the men will be placed first. Thereafter, those of the boys, then of the women and last the Janāzahs of the minor girls.

WHEN ARRIVING LATE FOR THE JANĀZAH SALĀT

15. If someone arrives after one or more of the Takbirs of the Salāt have been completed, he should not recite the Takbir and join the Salāt immediately as is the case with other Salāt. He should wait for the Imam to recite Takbir. When the Imam recites Takbir, he (the late-comer) too should recite the Takbir and join in the Salāt. This will be Takbir-e-Tahrimah for the late-comer. When the Imam recites the Salaam, the late-comer should fulfil the Takbirs which he had missed. There is no need for him to recite anything other than the missed Takbirs.

If someone arrives after the Imam has recited the fourth Takbir, he (the late-comer) should immediately recite the Takbir, join the Salāt and recite the missed Takbirs.

16. Janāzah Salāt has to be compulsorily performed for all Muslims regard-

less of their indulgence in any types of sin. However, if a Muslim is killed in a rebellion against the Khalifah or just Islamic ruler, Janāzah Salāt will not be performed for him nor will it be performed for a person who has killed any of his parents.

17. If a Muslim highway bandit/robber is executed by the Khalifah/just Islamic ruler for his crime of banditry, Janāzah Salāt will not be performed for him.
18. The wasiyyat (bequest) of the mayyit that a particular person should perform his/her Janāzah Salāt is not valid. It is not binding to fulfil this wasiyyat.
19. It is not permissible to perform Janāzah Salāt for Qadianis, Ahmadis, Shiahs, Ismailis and other such persons who are not Muslims on account of their denial of the essentials of Islam.
20. Janāzah Salāt is obligatory for even a person whose birth is illegitimate.
21. If the Muslim bodies became mixed with non-Muslim bodies and differentiating is not possible, Janāzah Salāt will be performed with the intention that the Salāt is for the Muslim deceased.
22. If the Janāzah is brought at the time of Eid Salāt, the Janāzah Salāt should be performed after the Eid Salāt before the commencement of the Eid Khutbah.
23. After the Janāzah Salāt there is no dua to be made before burial.
24. If the Imam mistakenly recites a fifth Takbir in Janāzah Salāt, the muqtadis should not follow him in reciting the fifth Takbir. They should remain standing until he recites the Salaam. When he recites the Salaam, the muqtadis should join him and recite the Salaam as well.
25. The Imam of a minor is not valid in Janāzah Salāt.

PERFORMING THE JANĀZAH SĀLĀT IN THE MAKROOH TIMES

There are three Makrooh times, viz.:

1. Sunrise
2. Zawwāl (Mid-day)
3. Sunset

It is forbidden to perform the daily Salāt or any Nafil or Qadha Salāt in the Makrooh times except the Asr Salāt of the day. If it was not yet performed, then it should be performed even while the sun is setting.

It is, however, permissible to perform Janāzah Salāt in the Makrooh times. The rules for performing Janāzah Salāt in the Makrooh times are as follows:

1. If the Janāzah arrives or is ready for the Salāt precisely at the Makrooh time, the Janāzah Salāt should be performed immediately.
2. If the Janāzah arrives or is ready for the Salāt before the setting in of the Makrooh time, then it is Makrooh to delay the Janāzah Salāt for the Makrooh time. In this case performance of the Janāzah Salāt in the Makrooh time is Makrooh Tahrimi.
3. Janāzah Salāt is permissible after the Asr Salāt.

SOME EVIL AND BID'AH PRACTICES

1. When a death occurs, men and women of the neighbourhood gather at the deceased's home. Hijab (Purdah) is totally discarded and inter-mingling of males and females takes place. This practice is haraam. The deceased does not gain any benefit from such gatherings. These gatherings are not part of the Janāzah service. It is not permissible for women to emerge from their homes to attend such un-Islamic gatherings.
2. It is a practice among many people to put the body on display. Even if the viewers are ghair mahrams, they file into the room to view the mayyit. It is not permissible for women to look at the face of the mayyit if he (the

mayyit) is ghair mahram. Similarly, it is not possible for a man to take a look at a female mayyit's face if he is not the mahram to her.

3. It is not permissible for the females of the neighbourhood to gather at the mayyit's house for any dua or khatm. In some places there is this custom while the body awaits burial. This type of gathering is bid'ah.
4. There is no ceremony to perform at the home of the mayyit before or after the burial. All customs and practices in vogue in this regard are unfounded innovations (bid'ah), hence sinful.
5. The practice of feasting at the mayyit's home after burial is bid'ah and not permissible.
6. The customs of seven-day, forty day, etc. khatam are bid'ah. Inviting friends and relatives to congregate for Qur'an recital on specific days, eg. the seventh day and then feeding them after the recital, is not permissible.
7. The dua which is made after the Janāzah Salāt has been performed is bid'ah. The Janāzah Salāt itself is the Dua for the mayyit.
8. Before burial, after burial and even while the burial takes place people indulge in futile conversation. It is sinful to indulge in such nonsensical talks on such a sombre occasion as Maut. Instead, recite some verses of the Qur'an silently and ask Allah Ta'ala to bestow the Thawāb thereof to the mayyit.
9. Celebration of death anniversaries is not permissible.
10. The belief that the rooh (soul) of the mayyit remains in the house or visits the house for forty days is baseless. While it is possible for the rooh to visit any place with the permission of Allah Ta'ala, the belief that it does in fact visit the home on specific days is not correct.
11. Kissing the grave is not permissible.
12. A bad practice which has recently developed is the unnecessary delay in performing the Janāzah Salaat on account of some persons proceeding for wudhu precisely at the time when the Jama't is standing ready in Saffs for the Salāt. The Jama't is kept waiting for up to 30 minutes. While a

couple of people engage in wudhu, the entire congregation waits, standing in the Saffs. People should ensure that they are with wudhu by the time the Salaat is to be performed. Where this bad practice has developed, the Imām should commence the Salāt. He should not delay the Salāt, waiting for the few who are negligent and without wudhu.

MISCELLANEOUS

JANĀZAH

Regarding the lax and un-Islamic attitude which Muslims have adopted on burial occasions, Shaikh Abdullah Bin Muhammad Al-Khalifi, Imam of Masjidul Haraam says:

"Among the innovations in conflict with the Sunnah introduced by many people today regarding the burial of their dead is their laxity. They do not make haste with the Janāzah nor do they maintain silence. They do not reflect about the destination towards which the dead is proceeding. Some even engage in conversation regarding his wealth, children, etc. The Sunnah opposes this."

It is reliably narrated that Rasulullah (Sallallāhu alayhi wasallam) was exceptionally silent when following the Janāzah. Fear and concern could be discerned on his countenance. The Salf-e-Sāliheen (illustrious Fuqaha and Auliya of former times) would not engage in any conversation when they participated in the burial except such talk which directly concerned the mayyit and its burial and its abode towards which it was journeying. But nowadays the majority of people following the Janāzah are seen to laugh and amuse themselves with futility. They speak about the mayyit's inheritance and the heirs.

Having drifted from the Sunnah of Rasulullah (Sallallāhu alayhi wasallam) Muslims of the age are increasingly adopting the ways of Non-Muslims on burial occasions. Of the evils which are associated with Muslim Janāzas are:

- * In many places the Janāzah affairs are no longer considered as a Fardh Kifāyah obligation. Burial of a Muslim devolves as an obligation on the entire community. It is Fardh for a group in the community — those closest related to the deceased — to attend the burial. This has to be discharged as an act of Ibaadat. But, nowadays the trend is to join some

burial society operating along kuffaar lines. The society is established for commercial gain and has no Deeni allegiance.

- Long delays take place on burial occasions. Rasulullah (Sallallahu alayhi wasallam) instructed that the burial takes place immediately —as soon as possible. But, people following the customs of the non-Muslims delay the burial inordinately waiting for relatives and friends to come in from other centres. While it is an act of goodness for many people to be present in the Janāzah Salāt, it is not permissible to delay the burial on this account. The mayyit should be buried as soon as it has been prepared for the qabar.
- Innovatory styles of prayer which have no relation with the Sunnah have been adopted after the burial. A hypocritical show is enacted at the graveside. Several persons lead the graveside prayer ceremony. After one fellow has completed his share another misguided fellow takes over with his formulae of recitation. In this way the ceremony of bid'ah is conducted in total conflict with the way of Rasulullah (Sallallahu alayhi wasallam).
- Women gather at the mayyit's house in droves. They strut around in the vicinity and on the streets pouring into the mayyit's house. On one occasion Rasulullah (Sallallahu alayhi wasallam) drove away and expelled a group of women who had attended a janāzah. All Shar'i rules of Hijaab (Purdah) are shamelessly violated by women on the occasion of a janāzah which should be a time for contemplating the Ākhirah.

VISITING THE GRAVES

Rasulullah (Sallallahu alayhi wasallam) said: *"Visit the quboor (graves), for verily, it reminds you of death."*

In this Hadith, Rasulullah (Sallallahu alayhi wasallam) states the purpose of visiting the Qabrastān. The main reason for visiting the Qabrastān is remembrance of death. Such remembrance is essential to keep the Muslim on the spiritual course leading to Allah's Pleasure and success in the Ākhirah. Remembrance of Maut slackens worldly love and engenders love for the Ākhirah. Regular visits to the Qabrastān facilitate this remembrance.

In addition to the benefit which the visitor gains, the inmates of the graves also benefit much by the dua and recital of the visitor.

When visiting the Qabrastān, the niyyat should be Remembrance of Maut and passing on benefit to the dead.

Before proceeding to the Qabrastān, it is Mustahab to perform two raka'ts Nafl Salāt at home. Ask Allah Ta'ala to bestow the Thawāb of the Salāt to the deceased of one's choice. The musalli will be rewarded for this Salāt while the grave of the mayyit will be filled with Noor.

Along the way to the Qabrastān engage in Thikrullaah. Abstain from futile talk and any acts of futility.

At the graveside stand facing the face of the mayyit with your back towards the Qiblah and recite the relevant Masnoon Dua for the occasion.

Recite a portion of the Qur'an Shareef silently. It is preferable to recite Surah Yāseen, Surah Mulk and the Surahs from Surah Takaathur to the end of the Qur'an.

After completing the Tilāwat, turn towards the Qiblah and make dua. Ask Allah Ta'ala to accept the recitation and to bestow its Thawāb to the deceased. When making dua at the graveside, do not raise the hands. Keep the hands at the sides.

Visiting the Qabrastān on a Friday is very meritorious.

One who visits the graves of his parents on Fridays will be recorded as an obedient child.

Flowers should not be put on the grave nor should the grave be kissed.

Be careful when walking in the Qabrastān. Do not trample on the graves.

Do not laugh or joke in the Qabrastān.

It is meritorious to recite Surah Ikhlāas seven times at the graveside. Insha'Allah the mayyit will be forgiven.

LIFE IN BARZAKH

Life in Barzakh (the Grave or that period after death and before Qiyaamah) is of two kinds (1) The life of ordinary people. (2) The Life of the Ambiya (Prophets) and Shuhadā (Martyrs).

Ordinary people: In Barzakh the body decomposes and is eliminated while the rooh (soul) is assigned to either a place of bliss or chastisement depending on the worldly life of the mayyit (deceased).

In Barzakh the soul becomes dormant, i.e. it does not engage in Ibaadat or contemplation. It has no opportunity of either expiating itself from its earlier sins nor is it able to progress to higher stages. It either is embroiled in chastisement or sleeps in a state of bliss. Thus, inactivity is the lot of the soul of ordinary people in Barzakh.

Ambiya and Shuhadā: The souls of the Ambiya and the Shuhadā do not dwell in inactivity. There is constant progress for them in Barzakh. They are engaged in Ibaadat and enjoy a higher state of existence, hence the Qur'an Majeed says that they are 'alive'. In fact, their state of life is far superior to the earthly life. They are more conscious and perceive reality on a higher plane.

In addition, their bodies do not decompose.

Since the Arwaah (souls) of the Ambiya, Shuhadā and Auliya are not inactive in Barzakh, they have been described as being alive in spite of the earthly maut (death) which overcame them in the earthly life.

ADORNING THE GRAVES OF AULIYĀ

The *mazaaraat* (graves) of the Auliya are being venerated as objects of worship. Such graves are built into solid structures and adorned in various ways which are not allowed by the Shari'ah. The ostensible motive for all these embellishments to the graves is to honour the Auliya buried therein. But, this honour is shown in an evil way because according to the Shari'ah this manner of honouring the Auliya is *haraam*.

Honouring the Auliya is not by adornment of graves and the conversion of the graves into solid structures. The Auliya will remain honourable even if their graves are left in the natural simple, unbuilt and unadorned state. In fact, their

graves will command greater respect, honour and awe if left in the natural state, because more *anwaar* (rays of spiritual light) descend on graves which are left in conformity with the Sunnah. The grave of Hadhrat Shaikh Bakhtyaar Kaaki (rahmatullah alayh) has been left in the natural state. So great is the awe and reverence that overcome the visitor that he is able to perceive the difference of the simple grave. Not even a minute portion of such awe can be felt at the graves of even kings. He who has eyes (the eyes of the rooh) will perceive the descent of the *anwaar* on graves left in the state of simplicity — graves not built or cemented over.

Those whose spiritual eyes have become blind should at least be able to understand that *anwaar* are dependent on the observance of the Sunnah and graves built-up and adorned are contrary to the Sunnah. Obliteration of the Sunnah results in the obliteration of *anwaar*. Kings and the people of wealth were responsible for the embellishment of graves of the Auliya in this un-Islamic and proscribed manner. The Auliya never indulged in such futile practices. It should be readily understood, therefore, that such structures erected by the worldly kings and others will be devoid of *anwaar*.

The construction of graves in such anti-Shari'ah ways is in conflict with the disposition of the Auliya. They were ardent and great followers of the Sunnah. They countenanced not the slightest deviation from the Sunnah of Nabi-e-Kareem (Sallallahu alayhi wasallam). Their lives were dedicated to the Sunnah and through observance of the Sunnah in the minutest detail they sought the pleasure and love of Allah Ta'ala. These *haraam* trappings embellishing the graves are most certainly intolerable and abhorrent to the Auliya.

Furthermore, such *haraam* ways of adorning the graves defeat the purpose of *ziyaarat* (visiting the graves). The purpose of visiting the graves is to induce in one the remembrance of *maut* (death) and to create in one the realisation of the transitory and perishable nature of this earthly life. This purpose is achieved only if the graves are left in their natural, simple and forlorn state. Forlorn graves produce in the heart remembrance of *maut* and disillusionment with the ephemeral existence. Graves adorned un-Islamically and in royal style do not serve this purpose.

It is also claimed that adorned graves instil love and respect in the heart for the Auliya. However, in reality the claim is devoid of substance. It is comparable to the practice of *ta'ziyah* (the float processions of shirk of the Shiah). Those

who indulge in the practice of *ta'zieh* profess their love and respect for the Martyrs of Karbala by wailing in profusion on the occasion of the *ta'zieh* ceremonies. They are unable to shed tears or to show their love in the absence of *ta'zieh*. Their love is dependent on *ta'zieh*. Their crying is dependent on *ta'zieh*. But true love and respect do not stand in need of such forms of adornment and embellishment akin to idolatry.

Can anyone claim that the Sahaabah Kiraam had no love for Rasulullah (Sallallahu alayhi wasallam)? Their intense love did not allow the water dripping from the holy body of Rasulullah (Sallallahu alayhi wasallam) to fall onto the ground. While Rasulullah (Sallallahu alayhi wasallam) would make *wudhu* the Sahabah would take the dripping water into their hands and rub it over their faces. But, these men whose love was so profound and so true left the grave of Rasulullah (Sallallahu alayhi wasallam) in the simple natural state. They did not convert the holy graves into solid structures. They did not adorn the grave of Rasulullah (Sallallahu alayhi wasallam). They retained the grave simple because they were aware that Rasulullah (sallallahu alayhi wasallam) had forbidden the conversion of the graves into solid structures. Thus their love demanded that they obey and follow the teaching of the one whom they loved so dearly.

It is also argued that in embellishing the graves of the Auliya and in building them into solid structures their memory and location are perpetuated. This argument too is fallacious. Perpetuating their memory is dependent on Allah Ta'ala and not on the erection of *haram* structures and the adoption of *haram* forms of decoration. Numerous built-up and solid graves exist without anyone even knowing the names of the inmates of these graves. The correct way of perpetuating the memory of the Auliya is not by building their graves, but by perpetuating their *Wilayat* (mission of sainthood), their excellence of *Ma'rifat* and their noble lives. The Auliya are not in need of these unlawful forms of memory-perpetuation schemes invented by the ignorant worldly people.

It should also be borne in mind that the actual purpose of *Maut* is annihilation and not perpetuation. One dies to be annihilated and not to be perpetuated. In view of this it is nonsensical to arrange material ways of perpetuation.

MUNKIR - NAKIR

Munkir and Nakir are the two Angels who come to question the mayyit (deceased) after burial. On the approach of these two Angels life is restored to the mayyit. After the mayyit successfully passes his test, his rooh is once again removed without the slightest pain.

These two Angels have hideous and terrifying forms. The Mu'min will be fortified by Allah Ta'ala and he will not be overwhelmed by the fearsome looks of these two Angels.

GRAVES

Numerous people who have strayed from the Sunnah of Rasulullah (Sallallahu alayhi wasallam) and his Sahaabah have converted the graves of the Auliya into places of festivals, celebrations and merry-making. About this practice of *shirk* the following prohibition is recorded:

"Abu Hurairah narrates that he heard Rasulullah (sallallahu alayhi wasallam) saying: 'Do not make your homes graves nor make my grave [a venue of] Eid. Recite Durood upon me. Verily your Durood reaches me from wherever you may be.'" (Nisai and Abu Dawood)

BUILDING GRAVES

Many people have adopted the non-Muslim practice of building up graves. Regarding the building of graves, Hadhrat Jaabir (radiallahu anhu) narrates the following prohibition of Rasulullah (sallallahu alayhi wasallam):

"Hadhrat Jaabir narrates that Rasulullah (Sallallahu alayhi wasallam) forbade that graves be built and that people sit on graves." (Ahmad and Muslim)

TILAWAT

Sometimes the mayyit too is permitted by Allah Ta'ala to engage in Tilawat of the Qur'an Majeed.

A Sahaabi narrates that once he heard Surah Mulk being recited from within the grave.

GRAVE-WALLS

Erecting walls around the grave is an un-Islamic practice. It is not permissible to do so. Rasullullah (Sallallahu alayhi wasallam) once sent Hadhrat Ali (radhiallahu anhu) to demolish all grave-constructions. Those who erect walls around the graves are not rendering any service to the dead.

THE SANCTITY OF THE HUMAN BODY AND THE PRACTICE OF MUTILATION OF HUMAN BODIES IN MEDICAL EXPERIMENTATION

"INSAAN" or man is the highest and the noblest of Allah Ta'ala's creation. His importance and rank are such that Allah Ta'ala has created the entire universe for his sake and made subservient to man all forces of nature. The Qur'an Shareef is very explicit in making this claim. The elevated rank of man has been emphasised by Allah Ta'ala commanding the Mala'ikah to prostrate in the presence of Adam (alayhis salaam), progenitor of the human race. And, what more can illustrate the reverence of man than the following verse of the Qur'an Shareef:

"And remember when Allah said to the Mala'ikah: Verily, I shall be creating a Representative on earth..."

The entity of "INSAAN" consists of physical body and celestial soul (Rooh). Both these constitute integral and essential parts of this being known as man. The physical body minus the soul, by virtue of it being a fundamental constituent of Insaan deserves all the respect, dignity and reverence Islam commands for the total "Insaan", i.e. man, body and soul. Allah Ta'ala has commanded that we show respect and reverence to not only the dead body of man, but to even the nails and hairs which are removed. These too cannot be discarded in disrespect. Nails and the hair have to be buried. Because of the great respect Islam orders for man, all forms of uses and benefits from the human body (dead body) or from any part of the human body are forbidden. The Shari'ah decrees:

"It is Haraam to derive any benefit (use) from the hair of man and from all his parts because of the reverence (or respect) of man. But, his hair, nails and all parts of him shall be buried." (Sharhul Muslim)

So great is the respect Islam orders us to show man that long after his death when he has disintegrated and transformed into soil, the Shari'ah commands that when we pass by his grave we should not trample this man's grave then the degree of unlawfulness for "mutilating" his body is emphasised to a far greater extent. The elaborate measures - rituals and practices - designed and ordered by Islam to be observed in the burial of dead human bodies all impress the great reverence and sanctity of the human body - that the body of man is an object of respect; that it should be not disrespected in any way, leave alone mutilation suffered at the hands of experimentation. The following extracts from the Islamic Law Books illustrate the great treatment of respect and reverence meted out by Islam to the human body.

"And, when the person dies, his jaws are to be tied and his eyes to be closed.... In this (action) is the maintenance of man's beauty, hence it is beautiful (Mustahsan, i.e. meritorious) to do so." (Hidaayah)

Immediately upon death the jaws are to be tied with a ribbon and the eye-lids to be closed to prevent the unseemly sight of a gaping and gazing dead body.

"(While giving the dead body a bath) they should cover the body's privacy with a cloth, so as to fulfil the compulsory duty of concealing the 'sitr' (private parts)." (Hidaayah)

The dead body is an object of high reverence, hence Islam commands it be treated with respect by bathing it ceremoniously and even concealing the private parts of the dead body from the sight of the living.

"The table (on which the body is to be laid) is to be perfumed.... because this is part of the respect (and reverence) which is to be shown to the dead body." (Hidaayah)

Perfume for the dead? The senses - physical senses are dead as well. Of what use is this act of perfuming the dead? Allah Ta'ala desires us to respect that vehicle - the human physical body which was the receptacle of the celestial soul for which Allah Ta'ala created the entire universe.

"Hunoot (a kind of perfume) shall be rubbed onto the (dead body's) head and beard, and camphor shall be rubbed on those parts of the body which touched the ground in Sajdah... because this is deserving of greater respect." (Hidaayah)

In explaining the reason for the unlawfulness of utilising the skin of man for any purpose, the authoritative Law Book of Islam SHARHUN NIQAAYAH, states:

"... so that mankind does not become audacious in disrespecting that object (human body) which Allah Ta'ala has revered, by using its parts (organs, hair, nails, etc). And, because it is not permissible to derive benefit from it (human body) because of his reverence."

The above are merely a few examples of respect for the dead body. A host of rules, all indicating and emphasising the great respect and reverence of the dead body, is related to the treatment of the dead body - from the time man dies until after burial. Kitābul Janā-iz amply illustrates these numerous rules.

So high is the regard for the body of man that Islam commands that it could not be used for even saving life. The Law Books of Islam state that if two people are lost or stranded in some remote part and one is on the verge of dying due to starvation it is not lawful for the one to dismember or cut part of his flesh to feed his companion so as to save his life. This is so, despite the fact that Islam makes lawful even the eating of the swine's flesh when one is reduced to such dire straits of starvation.

No matter how great the advantages to medical science, experimentation and mutilation of human bodies may be, Islam does not condone this sacrilege inflicted upon an object which Allah Ta'ala Himself respects and commanded mankind to revere. The physical body is not the property of INSAAN; it does not belong to him. Therefore, he has no right to misuse this vehicle assigned to his care for a while. The human body is a sacred trust which Allah Ta'ala has given man, hence he cannot destroy it by suicide, by donating it and by mutilating it.

SIN IMPEDES KALIMAH

Here we shall briefly relate some incidents which indicate how sin will become a great impediment on the tongue of the dying one who will be anxious to recite the Kalimah Shahaadat, but will not be able to do so.

Imaam Sha'raani (rahmatullah alayhi) has compiled many such episodes in his Kitaab, Mukhtasar Tazkirh. Among these are the following.

- A certain trader was engrossed so much in his trade activities that he had

no time or inclination for his Ibaadat. He was completely diverted from the remembrance of Allah Ta'ala. At the time of his death he was instructed to recite: 'Laa illaaha il lal laah', but on his tongue was only the calculation of figures. In reply to the instruction of the Kalimah he would mention some financial calculation and his fingers moved in counting. In this state, deprived of the Kalimah, his soul departed.

- Another trader who never cleaned the scoop of his scale when weighing also experienced at the time of Maut the inability to recite the Kalimah. He was in the habit of leaving the scoop of his scale uncleaned. The accumulated dust and other particles resulted in less weight being given to customers. When people present at his Maut instructed him to recite the Kalimah, he would say:

"I am in my proper senses. I understand everything and can say everything. But, when I wish to recite Kalimah Tayyibah, my tongue cannot move because the indicator of the scale becomes fixed on my tongue".

- A man on his death-bed was being instructed to recite the Kalimah. He replied that he was not able to do so because his tongue was accustomed to aabusing and reviling his neighbours.

Imaam Sha'raani (rahmatullaahi alayhi) states in his Kitaab that persistence in the commission of sin will constitute a barrier to the recitation of the Kalimah at the time of Maut. It is, therefore, essential that we strive to the utmost of our ability to abstain from disobedience and to be constant in seeking the forgiveness of Allah Ta'ala.

"BRAIN DEATH" IS NOT MAUT

The concept of "brain death" has been formulated by the western medical establishment to enable medics to grab organs out of the bodies of living human beings. Their fanciful interpretation of death and their misleading definition of death serve only to befuddle the minds of ignoramuses.

By pronouncing a living human being "brain dead", doctors are legally entitled to murder the victims by removing their internal organs for transplantation.

The Shar'iah does not recognize the evil concept of "brain death". A person pronounced brain dead by the kufr medics is Islamically and physically alive.

He is not dead. His Rooh (the substance of life) is yet in the body. A dead person does not come back to life.

ORGANS OF THE MAYYIT

It is haraam to dismember the body of the mayyit. None of his organs may be removed for transplantation or for any other use whatsoever.

Any wasiyyat (bequest) made by a person with regard to "donation" of his organs is ba'til (null and void). It is haraam to execute the haraam wasiyyat of the mayyit.

DIVINE AID AT THE TIME OF MAUT

The scene of Maut is a severe and most dreadful occasion. At the most precarious stage of his life, - the commencement of the agony of death - man is surrounded by his enemies - the shayateen. The complication and agony are made all the more severe by the deception practised by the shayateen striving to gain the rejection of Islam from the departing soul. These hideous beings of deception appear in the forms of friends, parents and sympathisers, offering 'sympathetic' and 'kind' advice to the man smitten by the pangs of death. The satanic onslaught against the dying one is so severe that it seems improbable that man who is so weak will survive against the sustained battering of the shayateen.

However, as strong as the onslaught of Shaitaan may be against the Believer, Allah, The All-Merciful has made ample preparations of defense for man in his confrontation with Shaitaan at the critical point of death. Allah Ta'ala declares in the Qur'an Shareef:

"Verily, those who have acknowledged: 'Our Rabb is Allah.', and thereafter remained steadfast, Mala'ikah will descend upon them so that they may not fear nor grieve. And, be happy with the tidings of Jannat which you had been promised. We are your friends in this earthly life and in the Akhirah. And for you in it (the Hereafter) will be whatever you will desire. And, therein will be for you what you will request. (This will be) the hospitality from (Allah), The Oft-Forgiving, The Most Merciful". (Surah Fussilat)

Two words in this verse are of special significance, viz., 'Istiqaamat' (steadfastness) and 'tanazzul-e-Mala'ikah' (the descent of angels). Hadhrat Abu Bakr Siddique (radiallaahu anhu) in the tafseer of this verse said that the meaning of 'Istiqaamat' here is to be steadfast on Imaan and Tauhid and not to indulge in kufr and shirk. (Tafsir Ibn Kathir). Regarding the 'descent of angels', Imaam Ibn Kathir narrates the following tafseer of Hadhrat Zaid bin Aslam (radiallaahu anhu):

"The angels give man the glad tidings at the time of his Maut, in his grave and when he will rise (on the Day of Qiyaamah)." (Narrated by Ibn Abi Haatim-Tafseer Ibn Kathir)

It is thus established on the basis of this Qur'anic verse that Mala'ikah will appear at the time of the death of those who remained steadfast on Islam and Imaan. At the most critical stage in their life will they be strengthened and aided by the presence of these Angels of mercy who will proclaim the great success and glad tidings of Jannat.

EVIL DEATH

Imaam Sha'raani (rahmatullaahi alayhi) says that it is the unanimous opinion of the Ulama that only a person who was persistent in committing sin in secret and had no care for the kabirah sins, whose death will be evil (i.e. in the state of kufr or without being able to recite the Kalimah). The death of a pious person will not be in a wretched state.

THE REBELLIOUS ROOH

Hadhrat Abu Hurairah (radiallaahu anhu) narrated that Allah Ta'ala will command the Rooh (of the rebellious) to come out from the body. The Rooh will refuse, but against all its wishes it will be torn from its body in the most dreadful of conditions.

RECITE THIS DUA OFTEN FOR RELIEF FROM THE AGONY OF MAUT

اللَّهُمَّ اَعِزِّيْ عَلٰى مُتَكَرِّرَاتِ الْمَوْتِ

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"O ALLAH! AID ME IN THE AGONIES OF MAUT."

(This was the Dua which Rasulullah-sallallahu alayhi wasallam himself recited during his final moments).

RECITE THIS DUA FOR A MAUT ON IMAAN

اللَّهُمَّ لِقْنِي حُجَّةَ الْإِيمَانِ عِنْدَ الْمَمَاتِ

"O ALLAH! INSTRUCT ME WITH THE PROOF OF IMAAN AT THE TIME OF MAUT"

DAWOOD'S (ALAYHIS SALAM) CONVERSATION WITH ALLAH

Hadhrat Ibn Mas'ud (radiallahu anhu) narrated the following conversation which took place between Nabi Dawood (alayhis salaam) and Allah Ta'ala.

NABI DAWOOD: O My RABB! What is the reward of a person who accompanies a Janaazah until the grave and he does so only to attain Your Pleasure?

ALLAH TA'ALA: The Mala'ikah will accompany the Janaazah of such a person and they will make Dua of Rahmat for him.

NABI DAWOOD: O My RABB! What is the reward of one who sympathises and consoles a person smitten by sorrow and hardship and he does so only to obtain Your Pleasure?

ALLAH TA'ALA: I will grant him the garments of Taqwaa, save him from the Fire and enter him into Jannat.

NABI DAWOOD: O ALLAH! What is the reward of one who for only Your sake undertakes the maintenance of an orphan and widow?

ALLAH TA'ALA: On that Day (of Qiyaamah) when there will be no shade, I will grant him the Shade of My Throne.

NABI DAWOOD: O Allah! What is the reward of one whose cheeks are moistened with tears as a result of Your Fear?

ALLAH TA'ALA: His face will I save from the heat of Jahannum and I will protect him from the terror of the Day of Qiyaamat.

IMAM AHMAD AND SHAITAAN

The time of Maut for the illustrious Imaam Ahmad Ibn Hambal (rahmatullaahi alayhi) was at hand. The son of this great Imaam observed that his father was drenched in perspiration and every now and again uttering "Laa ba'du". After this was uttered several times by Imaam Ahmad, his son asked what it was that he (Imaam Ahmad) was saying. In reply Hadhrat Imaam Ahmad said:

"Shaitaan is standing in my presence and is saying: 'O Ahmad! Alas! You have slipped away from me'. In reply to Shaitaan I am saying: 'Laa ba'du' (which means not yet - until death finally comes.)"

Shaitaan will remain vigilant in the employment of his plots as long as there remains the breath of life in man. Man should therefore never become negligent and fearless regarding the tricks of Shaitaan. It was precisely because of recognizing the trick of Shaitaan at this very last stage of life that Imaam Ahmad (rahmatullaahi alayhi) was impelled to inform Shaitaan that no man is safe from him as long as there is still life. Hadhrat Ahmad penetrated the plot of Shaitaan, which was to put the great Imaam's mind at rest so that he may become forgetful, and then appear in some other guise to assault the Faith of the Imaam in that critical stage.

In a similar manner have many Saints disputed with Shaitaan during the agony of death and recognized his deception.

COMPANIONS OF MAUT

Hadhrat Mujaahid (rahmatullah alayhi) reported that on the occasion of the Maut of every Believer his/her companions are ushered in his/her presence. If the dying person was among those who indulged in sport and futility then such companions will be brought there. If the dying one was among the people who remembered Allah Ta'ala, then saintly companions will be at hand.

It is therefore imperative that man does not associate in the company of sport and amusement.

SHAITANI DECEPTION

In the Hadith it is reported that Rasulullah (sallallahu alayhi wasallam) said:

"Be near to your dying ones and instruct them with 'La ilaha illa Allah'. Give them the glad tidings of Jannat. Verily, even men and women of great intelligence are in a stupor at that critical juncture. And, at that juncture Shaitaan is nearest to man than at any time before. (Narrated by Abu Na'eem in Al-hilyah on the authority of Waathilah - radiallaahu anhu -). (Kanzul Ammaal)

Hadhrat Umar (radiallaahu anhu) said:

"Be near to your dying ones and remind them of Allah Ta'ala, for verily, they see what you cannot see". (Narrated by Ibn Abi Dunyaa - Kanzul Ammaal)

In one report Hadhrat Faruq-e-A'zam said:

"Verily, they (the dying) see certain things and some conversation takes place with them". (Kanzul Ammaal)

Hadhrat Hasan Basri (rahmatullaahi alayhi) narrates:

"When Allah Ta'ala ordered the descent of Hadhrat Aadam and Hawwaa (alayhimas salaam), Shaitaan too descended to celebrate the occasion and said: 'When I have succeeded in deceiving the parents then the task of deceiving their weak progeny will be relatively simple'.

It was regarding this opinion of Shaitaan that Allah Ta'ala said (in the Qur'an Sharcef):

'Verily, Iblis found his opinion regarding them (man) correct. They followed him, but a group among the Believers'.

In defiance, Iblis observed: 'I will not leave man as long as there remains in him breath of life. I will deceive him with false promises'.

Allah Ta'ala said in reply:

"By My Dignity and My Splendour I will not close (the door of) repentance (for man) until such time that he is not overtaken by the agonies of death. I will answer them whenever they call to Me. And, I will grant to them when they ask Me. And, I will forgive when they seek forgiveness"

EVIL DEATH -CONSEQUENCE OF DISOBEDIENCE

A wretched and an evil state of Maut is not a spontaneous development arising out of the agony of death. It is the consequence of the previous commission of evil and disobedience which have become manifest at the time of death. (Hadhrat Mufti Mohammed Shafi (R.A.))

SLEEPING WITH JANAABAT

Hadhrat Maimunah Binti Sa'd (radiallaahu anhaa) asked Rasulullah (sallallahu alayhi wasallam):

"O Rasulullah (sallallahu alayhi wasallam)! Is there any blame if a man requiring a ghusl sleeps without taking the ghusl?"

Rasulullah (sallallahu alayhi wasallam) replied:

"I do not prefer that he sleeps without Wudhu, for I fear that his maut may come while he is still sleeping, and then Jibraeel will not come near to him" (Ibne'asani)

It is evident from this Hadith that Jibra'eel (alayhis salaam) also makes an appearance when a Believer is about to die. But, one who dies in the state of janaabat (requiring a compulsory bath) is deprived of the appearance of Jibra'eel (alayhis salaam). It is therefore, of vital importance for one who is in the state of janaabat to at least take Wudhu before sleeping, for Maut is ever hovering at hand.

AT DEATH

Hadhrat Abu Hurairah (radiallaahu anhu) narrates that Rasulullah (sallallahu alayhi wasallam) said:

"When death arrives to the (pious) Believer, two Mala'ikah with a white silken container appear and say: 'Emerge in happiness and (come to) the Pleasure of Allah and to peace and a Rabb well-pleased'. The soul then emerges in the best fragrance of musk. The Mala'ikah of Rahmat carry in turn the soul with the utmost dignity and respect towards the Heavens..."

(And, if the soul was of a non-Believer) two Angels of chastisement appear

with sack-cloth and command: 'Come out in disgrace and enter the state of wrath and the Wrath of Allah, Azza wa Jal'. It emerges then in the worst stench of carrion..."

IMAM JA'FAR AT DEATH

When the agonies of death commenced for Imaam Abu Ja'far Qurtabi (rahmatullaahi alayhi) those present instructed him to recite *Laa ilaa ha il lal laah*. In reply, the great Imaam would say, "Laa (i.e. 'No'). After a while when he regained his proper frame of mind, the people told him that in answer to their instruction (talqeen) of "*Laa ilaa ha il lal laah*" he said, 'Laa.' Imaam Ja'far (Rahmatullah alayhi) said that he was not saying 'Laa' in reply to their instruction, but was doing so in reply to the exhortation of two shayateen who were present. One was saying: 'Die on the religion of the Nasaara' and the other was saying: 'Die on the religion of the Yahood'. In answer, Imaam Ja'far was saying: 'Laa Laa'.

Imaam Ja'far, further told those present that he said to the shayateen:

"What! Are you imparting to me at this time this lesson (of rejecting Islam) when I myself had written in the Kitaabs, Tirmizi and Nasaai, the Hadith of Rasulullah (sallallahu alayhi wasallam):

'Verily, the Shaitaan appears to you before your death and will say: Die as a Yahudi, die as a Nasaara'.

There are many stories regarding the Saints of the Ummah, who refused at the time of the talqeen (instruction of '*Laa ilaa ha il-lal laah*') to repeat the Kalimah. Onlookers gained the impression that the saint was rejecting the Kalimah whereas in reality he was rejecting the advances of the shayateen attempting to deceive him.

IMPEDIMENTS TO DIVINE AID

The Ahādith of Rasulullah (sallallahu alayhi wasallam), and the statements and episodes of the countless Sulahaa and Auliya convey a very clear picture of the agony of death and the nefarious plots of the shayateen to ensnare the Believer into the rejection of Islam and the adoption of kufr. The forces of Shaitaan, in a final bid to capture the Imaan of the dying Believer, deploy all

their tricks and plots. At this critical juncture, man can only save himself from falling headlong into the abyss of kufr by the arrival of Divine aid. This Aid has been promised to the Believers, and at the occasion of Maut it comes in the form of Malaaiakah of Rahmat who ward off the deceptions of shayateen. The falsehood of Shaitaan is bared to the dying one and he rejoices at the Divine aid which saves his life and soul from eternal perdition.

The Malaaiakah of Rahmat will come to the aid of the Believer at the time of Maut as long as there exists no obstacle to block their entry into the presence of the dying person. According to Rasulullah (sallallahu alayhi wasallam) there are several factors which effectively block the arrival of the Angels of Mercy. It is in our own interests - for the protection of our Imaan and for the safeguarding of our everlasting life of bliss in the Akhirah that we take note of these factors which constitute most effective obstacles to the entry of the Malaaiakah of Rahmat - especially so when their presence is most required - at the time of maut.

These obstacles are:

1. The presence of dogs.
2. Pictures and photographs of animate objects.
3. The presence of a person in the state of janaabat.
4. Musical instruments.
5. The presence of bare-headed females in the house.
6. The presence of urine in a container in the house.

These factors which prevent the Angels of Mercy from entering homes, are recorded in the Kitaab, Shifaa-ul Islam Fi ma Tanaffara anhul Malaaiikatul Kiraam.

VISITING THE QABRASTAN

Rasulullah (Sallallahu alayhi wasallam) has said: "Visit the graves, for surely visiting the graves lessens worldly love and reminds you of the Hereafter."

The Qabrastan could be visited on any day. Friday is preferred for this visit and if possible, it should be done weekly. It is related in the Hadith that "Whoever will visit his parent's grave every Friday, will be granted Maghfirat and he will be recorded as an obedient son."

WHAT TO RECITE WHEN VISITING THE QABRASTAN

Rasulullah (Sallallahu alayhi wasallam) has taught the Sahabah (Radhiyallahu anhum) these words on sending salutations to the people in the graves and pray for their forgiveness:

السَّلَامُ عَلَيْكُمْ أَهْلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ
وَلَنَا إِنْ شَاءَ اللَّهُ بِكُمْ لَلْآخِرُونَ نَسْأَلُ اللَّهَ لَنَا وَلَكُمْ
الْعَافِيَةَ

"Peace be upon you, O you of the believers and Muslims dwelling in these abodes.
Behold! If Allah wills, we shall meet you. We beseech of Allah safety for us and for you."

WHAT TO RECITE WHEN IN THE QABRASTAN

There are many supplications that may be read at the graveside, the best being the recital of the Qur'aan. Stand facing the grave (back to the Qiblah) and recite as much of the Qur'aan as possible and make dua for the Maghfirat of the departed. A few ways of praying for the dead, as related in the Hadith, are given below:

1. RECITE SURAH IKHLAAS (Qulhuwallah...) 11 times. It is related in the Hadith that whoever visits the Qabrastan and recites Surah Ikhlās 11 times and prays for the dead, will be rewarded as many fold as the number of the dead in the Qabrastan.
2. SURAH FAATIHA (Alhamd...), SURAH IKHLAAS, SURAH TAKAASUR (Alhaakumuttakathur...). It is reported in the Hadith that whoever visits the Qabrastan and recites Alhamd... Qulhuwallah... and Alhaakumuttakathur... and prays for the dead, the people of the graves will ask Allah for such person's forgiveness.
3. RECITE SURAH YAASEEN. It is reported in the Hadith that if a person recites Surah Yaaseen in the Qabrastan, the punishment of the dead will be eased and the reciter will be rewarded just as much as the dead.

The Sahabah of Rasulullah (Sallallahu alayhi wasallam) visited the Qabrastan in this manner. The words in the Hadith indicate only the salutations and Duas for the dead and the remembrance of Allah Ta'ala. All other ways such as placing wreaths, flowers, paying homage etc. are incorrect according to the Shari'at and one should abstain from acting wrongly.

Memo



Death is the inescapable event, the inevitable reality. For the followers of Islam (*Momin*), death is not the end of the life, but a stage in the onward journey back home, *Jannah*.

The book describes the signs of Death, the obligations, etiquettes of Bathing the dead body (*Mayyit*), and different *Mas'ail* pertaining to *Kafan* and *burying* for child, stillborn baby, men and women, Carrying of *Janazah* etc.

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